

Appl. No. 10/645,497
Art Unit 3617
October 19, 2004
Reply to Office Action of July 27, 2004

REMARKS

Applicant respectfully requests the Examiner to reconsider the present application in view of the foregoing amendments to the claims.

In the present reply, claim 1 has been amended and claim 2 has been added. Thus, claims 1-2 are pending.

No new matter has been added with this amendment and additional new claim. For instance, the amendment to claim 1 is merely editorial in nature, and is supported at page 3 of the present specification. This is a clarifying and not a narrowing amendment. By amending the terms in order to clarify the claimed invention, Applicant in no way is conceding any limitations with respect to the interpretation of the claims under the Doctrine of Equivalents. Further, Applicant notes that claim 1 has already been indicated to have allowable subject matter (see paragraph 6 of the Office Action). New claim 2 has support at page 5, lines 18-20 of the present specification. Thus, no new matter has been added.

The amendment to the present specification is also obviously minor in character and does not add new matter. Grammatical errors have been corrected, and claim language has been replaced (explained in more detail below).

In addition, no new matter has been added with the amendment to the drawings, since this amendment is supported at page 5, line 2 of the written description. Applicant notes that only Fig. 1 has been amended to properly refer to the balance weight mounting position "J".

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Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicant respectfully requests that the Examiner withdraw all objections and the rejection and allow the currently pending claims.

Objection to Drawings

The drawings are objected to as failing to comply with 37 C.F.R. § 1.84(p)(5) (as stated in paragraph 1, page 2 of the Office Action). Applicant respectfully traverses and respectfully refers the Examiner to "S1" of Fig. 1, which now refers to reference character "J". Applicant believes that the replacement sheets fully comply with the provisions of 37 C.F.R. § 1.84. Withdrawal of this objection and acceptance of the drawings are respectfully requested.

Objection to Specification

The disclosure is objected to because of informalities (see paragraph 2 of the Office Action). Applicant respectfully traverses.

As can be seen from the changes to the present specification at page 3, the present specification does not repeat verbatim claim 1, and claim language is not recited in the specification. Accordingly, Applicant respectfully requests withdrawal of this objection.

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Claim Objection

Instantly pending claim 1 is objected to because it does not include reference characters that are enclosed within parenthesis (as explained in paragraph 3 of the Office Action). Applicant respectfully traverses.

Applicant respectfully refers the Examiner to the scope of claim 1 as presented. As can be seen, reference characters are enclosed within parenthesis. Accordingly, withdrawal of this objection is respectfully requested.

Applicant notes that the changes to pending claim 1 address formal matters and do not change the scope of the claim.

Issues Under 35 U.S.C. § 112, Second Paragraph

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, for a reason of indefiniteness. Applicant respectfully traverses, and reconsideration and withdrawal of this rejection are respectfully requested.

Applicant respectfully submits that the disputed "thereof" recitations refer to first the maximum crest portion of the primary wave form (see the present specification at page 5, line 22 to page 6, line 2), and second the unbalance level (Wub) (see the specification at page 6, lines 12-16). Thus, the claim recites clear and definite claim language.

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Still, Applicant respectfully refers the Examiner to the scope of pending claim 1 as presented. In efforts to advance prosecution, and as can be seen from lines 5-6 and 8-9 of claim 1, "thereof" is not recited and the maximum crest portion of the primary wave form and unbalance level (Wub) are positively recited. Thus, Applicant respectfully submits that instantly pending claim 1 fully complies with the provisions of 35 U.S.C. § 112, second paragraph. Withdrawal of this rejection is respectfully requested.

Applicant further notes that the changes to pending claim 1 address formal matters and do not change the scope of the claim.

Conclusion

Applicant appreciates the consideration given and the allowability indicated for pending claim 1 (see paragraph 6 of the Office Action). Applicant respectfully submits that all outstanding issues have been overcome as discussed above. Thus, it is believed that claim 1 is in condition for allowance. The same declaration of allowable subject matter is requested for pending claim 2.

A full and complete response has been made to all issues as cited in the Office Action. Applicant has taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicant respectfully requests that a timely Notice of Allowance issue for the present case.

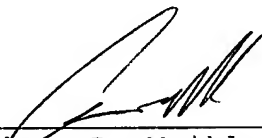
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Should there be any outstanding matters that need to be resolved in the present application, or in an effort to advance prosecution of this application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below, to conduct an interview in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 

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Attachments: Formal Drawings (Replacement Sheets for Figs. 1-5(B))

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AMENDMENTS TO THE DRAWINGS

Attached hereto are three (3) sheets of corrected formal drawings that comply with the provisions of 37 C.F.R. § 1.84. The corrected formal drawings incorporate the following drawing changes:

- Reference character "J" (the balance weight mounting position) has been added into "S1" of Fig. 1 (see the Office Action at page 2, paragraph 1).

It is respectfully requested that the corrected formal drawings be approved and made a part of the record of the above-identified application.